

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



APR 28 2012

DANIEL DELANO,

Plaintiff,

CLERK, US DISTRICT COURT, WDNY

v.

08-CV-610C

UNITED STATES OF AMERICA,

Defendant.

STIPULATION OF DISCONTINUANCE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys for the parties in the above-entitled action, that whereas neither the plaintiff nor the defendant is an infant or incompetent person for whom a committee has been appointed and no person not a party hereto has an interest in the subject matter of the action, the above-entitled action be, and hereby is, discontinued with prejudice and on the merits, without costs or fees to either plaintiff or defendant as against the other. This Stipulation may be filed without further notice with the Clerk of the Court.

DATED: Buffalo, New York, April 19, 2012.

WILLIAM J. HOCHUL, JR.
United States Attorney

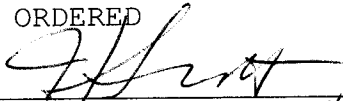
DATED: 4/19/2012

BY: /s/Michael S.Cerrone
MICHAEL S. CERRONE
Attorney for Defendant
Assistant U.S. Attorney
U.S. Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202

DATED: 4/19/2012

/s/ J. Michael Hayes
J. Michael Hayes
Attorney for Plaintiff

SO ORDERED



Hugh B. Scott *4/26/12*
United States Magistrate Judge